

Music Industry “Advisory” Committee
Terms of Reference Critical Interpretation and Analysis
by Glen Brown

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[Black font is the original document. Blue is my comments and questions]

When was the name change to “**Working** Committee” proposed, by whom? Why was this not debated? Why were the Terms of Reference not updated to reflect a more active role? There is a big difference between a Working Committee and an Advisory Committee.

What logically follows is that this Terms of Reference document is entirely meaningless, because none of the words were changed anywhere. The words in these Terms of Reference describe an Advisory Committee, not a Working Committee. Is this just another clue that no City staff ever really cared what the Committee was going to do, or took the Committee’s work seriously?

Purpose

Hamilton’s music industry contributes to making this city a vibrant place that attracts talent, business, and investment. Development and attraction of a strong music industry helps build community identity, pride, and image, which assist with key economic objectives in the City of Hamilton’s 2016 – 2020 Economic Action Plan and 2016 – 2025 Corporate Strategic Plan.

- The text actually doesn’t clearly state the purpose of the Committee, the reason for its existence, or define a clearly observed need within the context of what the City already has. For example, how does the **Hamilton Arts Council’s** existence as an arts support organization, and a city-approved council (Clr. Merulla sits on the board), account for the formation (or continuation) of yet another committee? Was the formation of the original committee of volunteers (which led to the Music Strategy document) basically just one person’s idea that didn’t really have any backing? Was this a duplication of effort from the start? Was the Music Industry committee just a formality, a “window-dressing” effort to continue a project that never really was properly founded? It definitely feels like an orphan. Or perhaps more accurately, a willing partner with nobody to dance with.
- The purpose is implied only. Somehow the Music Industry committee will help to **develop and attract a strong** music industry as a strategy for building **community identity, pride, and image**.
- The Committee will, by general implication but not in any specific way, **assist key economic objectives**.

Mandate

The Hamilton Music Industry Advisory Committee’s three-fold mandate includes:

1. **Providing advice on the goals and priorities of the music industry to help support and achieve corporate priorities such as Economic Prosperity & Growth and Culture & Diversity.**
 - i. to whom?
 - ii. using what process?
 - iii. do we get answers or feedback?
 - iv. does it get shared with the public?
 - v. “corporate” priorities means “City priorities”
2. **Promoting Hamilton's music industry by monitoring and advising on marketing strategies to strengthen the viability of the music sector.**
 - i. monitoring and advising
 - ii. in order to strengthen the viability (ability to work successfully) of the music sector

Item 2. **Monitoring and advising.** This is not an order to go and do. It is a request to be watchful of what’s going on in the musical community, and to give advice on marketing strategies that might make the music industry more successful. For example, observe that audiences at some venues are small, advise Tourism staff to conduct a survey of visitors to Hamilton and target certain audiences with advertising. Give advice to staff about what marketing strategies to use. Don’t actually implement anything specific, just advise staff on strategies. (This leads one to conclude that City staff can ignore the Committee’s advice if the advice or recommendation doesn’t fit into existing plans, or hasn’t been budgeted for.)

3. **Acting as a point of contact for members of the music community regarding issues affecting Hamilton and to help inform Council of issues and achievements.**
 - i. to be the “go to” point of contact for music issues affecting Hamilton
 - ii. help inform Council by report issues and achievements
 - iii. how is this done?
 - iv. when do we inform them? how often?
 - v. do we get responses from Council? should we expect answers?
 - vi. is this public information?

Item 3. **Information-gathering.** Sounds like the Committee is some sort of industry ombudsman. “Send your complaints and problems to us.” Describe for us what issues you are facing and what needs to improve to support music in Hamilton. Report to Council about the problems that musicians and music businesses and organizations are facing. Gather news of achievements and success stories in the music sector and share them with Council for information.

Nature of Authority

The Music Industry Advisory Committee is an Advisory team. It may not direct City staff or make binding decisions on behalf of the City of Hamilton. Any advice or recommendations that require formal action or implementation by City of Hamilton staff must be considered and approved by City Council. The Music Industry Advisory Committee will work with City staff who will report to the General Issues Committee regarding implementation of the actions identified

in the Music Strategy as well as other activities, issues or achievements identified regarding the Hamilton music industry.

What this means is that the Music Committee reports to staff, who report to GIC. Staff represents the Committee to Council. Upon reflection of what happened last year, this is why we were not granted the budget we thought we needed. We believed staff, and these Terms do not give the Committee authority to override staff decisions.

The Committee provides **advice** and **recommendations**.

The Music Committee “may not direct City staff” or make binding decisions.

Any formal action or implementation by staff must be considered and approved by City Council.

The inherent weakness is that THERE IS NO CITY STAFF FOR MUSIC INDUSTRY ISSUES! THERE IS NO MUSIC OFFICER AND THERE IS NO MUSIC OFFICE. There is no qualified “City staff” to make recommendations to. This Terms of Reference does not specify which staff, or which department in the City they will be from. It puts nothing in writing and commits to no definite path or process.

There is no specific protocol or process outlined. There is no procedural or policy direction on how to go about making recommendations to City staff. There is no information about what happens to recommendations. There is nothing stating that a designated City staff member is required to receive and process advice and recommendations this or that way, or even that they need to do anything with such advice and recommendations.

THERE IS NO PROCESS described.

So, even if the purpose of this Committee is purely advisory, these Terms of Reference do not make such advice likely to do any good whatsoever. The Terms definitely do NOT give the music industry volunteers confidence that their recommendations will be heard, presented in full context, and followed up meaningfully.

Some aspects of the Music Strategy and other music initiatives may align with the mandates of other organizations, committees or groups. The Music Industry Advisory Committee will liaise with existing and emerging organizations, committees or groups as appropriate, acting as a catalyst to build community capacity in the music industry.

The Music Committee is not given any official, exclusive representative status. It is mandated that the committee liaise with other organizations as deemed appropriate, and act as a catalyst to build with others. The Committee is expected to reach out to any and all other music stakeholder groups.

Background

The Music Industry Advisory Committee is an expansion of the Music Strategy Implementation Team (MSIT) that was established by City Council on May 14th, 2014.

Key changes to the new Committee include:

- **Change of name (twice changed)**
- **Expanded mandate (not outlined in this document)**
- **Modifications to member composition (e.g. adding ex-officio members)**

No specifics were given about proposed size of committee. Name of Committee was changed to Advisory, and then immediately changed to Working without any agreed upon rationale or discussion of implications.

Roles & Responsibilities

The Music Industry Advisory Committee will work to achieve its mandate as well as the goals of the Music Strategy:

- 1. Strengthen the local music industry.***
- 2. Grow audiences and appreciation of music.***
- 3. Increase access to music experiences.***
- 4. Cultivate music creation and talent.***

Responsibilities of Members

- 1. Members are expected to prepare for and attend all scheduled meetings of the Music Industry Advisory Team and participate in the discussions and deliberations.***
- 2. Members may be asked to represent the Music Industry Advisory Committee at events and to make presentations as required.***
- 3. A member, who misses two consecutive meetings, without being excused by the Chair, may be asked to resign.***

Composition

1) Industry members are selected by a cross-departmental staff selection committee through an application process. The team shall not exceed 17 members. For the 2016 to 2018 term, the current Music Strategy Implementation Team membership will roll over into membership on the Music Industry Advisory Committee. Any vacancies in the team will be filled by utilizing the cross-departmental staff selection committee referenced above.

A staff selection committee? Cross-departmental? Application process? Team went up to 19 members, Two more than described. There was no public application process undertaken. The Committee was filled from recommendations and discussions by the members. City Staff had very little to do with selection.

2) There shall be diverse representation from the community including a Hamilton Arts Commission appointee and a Hamilton Chamber of Commerce appointee as well as the following: musicians; multicultural music genres/origins; venues; youth; music education; industry representation – managers, event organizers, record labels, promoters, recording studios; not for profit/support industries; festivals/events (outside of venues).

Who is the Hamilton Arts Commission appointee? Why is there a Hamilton Chamber of Commerce appointee?

3) Ex-officio members of the Committee may include the Hamilton Public Library, representative from the Hamilton Chamber of Commerce, Business Development Consultant (city staff), a member of the Arts Advisory Committee, and one or more Ward Councillor(s).

“May include” means they can join as ex-officio members if they want to.

What is the Arts Advisory Committee? How is it different from the Hamilton Arts Commission? Having the option open for these reps to attend, if they choose to, **is much different** than saying, “A member of the Music Advisory Committee will be granted official liaison status with the Hamilton Arts Commission and Arts Advisory Committee.”

The difference is, if they want to come and take part and listen in on what we’re talking about and contribute their ideas, they can do so. And we can’t stop them. But we don’t have any assurance of being represented at their decision-making tables. It’s like this: People from various other arts groups or councilors may attend our meetings if they want, but you don’t have the similar privilege of attending their meetings, and you certainly don’t have a guaranteed seat at their meetings. (Sure, come and crash our party anytime...)

Committee Duplication or Lack of Clarity and Transparency

City documents for Committees, Sub-Committees, Agencies, Boards and Tribunals show the existence of an **Arts Advisory Commission** and a **Hamilton Arts Council**.

The Arts Advisory Commission has a threefold mandate: 1) “recommends activities for the strengthening and stabilization of the arts community...” 2) to “monitor and assist with implementation of Arts Awards and Public Art program” 3) to inform Council of issues and achievements... (basically same wording as item 3 in this terms of reference Mandate section). A full slate of members is given: **Councillor D. Skelly, Councillor S. Merulla**, (Alternates: Councillor A. VanderBeek), Elena Balaska, Christine Braun, Monika Ciolek, Sara Dickinson, Patricia LeClair, Peter Malysewich, Ray Rivers, Kyle Skinner. There are no agendas, minutes, or reports available.

The Hamilton Arts Council has a single sentence mandate: “To serve the community and its artists as an advocate for the arts and as a forum for promoting and developing the arts in the Region of Hamilton-Wentworth and Burlington.” There is no list of members given. **Councillor S. Merulla** is the only committee member listed on the City website. There are no agendas, minutes, or reports available. The Hamilton Arts Council is a not-for-profit charitable organization, incorporated in 1973, and has its own existence as a separate entity. It has its own board of directors and raises funds as a registered charitable organization. It is associated with the Hamilton Chamber of Commerce and offers the Chamber’s health care benefits package to its arts community members.

4) The duration of membership is for a minimum of two years from December 8, 2016 to November 30, 2018, with successive terms to continue from December 1, 2018 onwards.

5) A Chair and Vice Chair shall be appointed annually by a majority vote of the Music Industry Advisory Committee.

6) Any vacancies during the committee term, if required, will be appointed by the Chair and Vice Chair of the Team and the Director, Tourism and Culture Division and/or Manager, Cultural Development.

This has huge implications. Our Vice Chair AND Senior City staff will appoint a new Chair, and replacement for resigned members.

Given all of the above (and more)...

The essential questions

1. Does the Music Industry and musicians in Hamilton need a powerless committee that is basically subject to City staff, policy, politics, and City Hall bureaucracy?
2. Or does the Music industry need a strong advocacy organization that can implement strategic marketing projects and design activities and programs that truly serve the music sector? Does the City of Music brand need its brand champion?
3. What do the existing organizations of Hamilton Arts Council and Hamilton Music Collective (and other local arts organizations) have in their mandates that makes them distinctive from the overall view of the Music Industry Committee? Is there truly a missing piece for the Music Industry in Hamilton?
4. If yes to number 3, then What are the activities, programs, and structures that the Music Industry Committee needs in order to fully achieve the potential growth that we all believe is possible in the music industry? In other words, what is the charter of the company if it were to be formed?